

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
CENTRAL ISLIP DIVISION

IN RE

ARLENE A ROXBURY,

DEBTOR.

CHAPTER 13

CASE NO. 18-72909

JUDGE: Robert E. Grossman

OBJECTION TO CONFIRMATION

Michael J. Chatwin, Esq., an attorney admitted to practice in this Court, affirms the following under penalty of perjury:

1. I am an associate with Shapiro, DiCaro & Barak, LLC, attorney for Selene Finance LP as Servicer for MTGLQ Investors, L.P. ("Secured Creditor"), and am familiar with the facts and circumstances surrounding this matter.
2. MTGLQ Investors, L.P., holds a mortgage on the Debtor's real property known as 1174 Day Street, Seaford, NY 11783 (the "Property").
3. The Plan proposed by the Debtor does not provide that Secured Creditor retain the lien securing its claim as required by 11 U.S.C. § 1325(a)(5)(B)(i).
4. The Plan indicates participation in Loss Mitigation in Section 3.3, however, the Plan fails to propose treatment of mortgage arrears should Loss Mitigation be unsuccessful. Pre-petition mortgage arrears are \$414,495.39 as evidenced by the Proof of Claim number 2 filed on July 9, 2018.

WHEREFORE, the undersigned respectfully requests the Debtor, pending the results of loss mitigation, to amend their Chapter 13 Plan to reflect the proper mortgage arrears as specified earlier or, in the absence of an amendment to the Plan, the undersigned respectfully requests an

Order of this Court denying confirmation of Debtor's Chapter 13 Plan pursuant to Bankruptcy Code Section 1325 and such other and further relief as may be just and proper.

Dated: *July 11, 2018*

A handwritten signature in black ink, appearing to read 'Michael J. Chatwin', is written over a horizontal line.

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